

OPEN MEETING AGENDA ITEM



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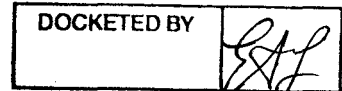
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ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

Arizona Corporation Commission
DOCKETED

JUL 10 2014

Attorneys for Town of Fountain Hills



BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

BOB STUMP, Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH

IN THE MATTER OF THE
APPLICATION OF CHAPARRAL CITY
WATER COMPANY FOR A
DETERMINATION OF THE CURRENT
FAIR VALUE OF ITS UTILITY PLANT
AND PROPERTY AND FOR INCREASE
IN ITS RATES AND CHARGES BASED
THEREON.

Docket No. W-02113A-13-0118

**TOWN OF FOUNTAIN HILLS'
APPLICATION FOR REHEARING
OF DECISION NO. 74568**

Pursuant to A.R.S. § 40-253, the Town of Fountain Hills ("Town") applies for rehearing of Decision No. 74568, docketed on June 20, 2014 ("Decision").

The Town was granted intervention in Docket No. W-02113A-13-0118 by Procedural Order dated August 12, 2013. On December 23, 2013, the Town submitted the Direct Testimony of Town Manager Kenneth W. Buchanan.

As set forth in the Town's Motion to Intervene, the Town is a rate payer of Chaparral City Water Company ("CCWC") and the Town and its citizenry will be directly and substantially affected by the Commission's Decision.

1 The Commission's website states in part:

2 By state law, public service utilities are regulated monopolies given
3 the opportunity to earn a fair and reasonable return on their
4 investments. What is fair and reasonable in any particular case has
5 been and always will be open to debate in rate hearings before the
6 Commission. Generally, the Commission tries to balance the
7 customers' interest in affordable and reliable utility service with the
8 utility's interest in earning a fair profit. See
9 <http://www.azcc.gov/Divisions/Administration/about.asp> (emphasis
10 added).

11 The Town believes that the Commission's Decision disproportionately favors CCWC's
12 interest in earning a profit over the customers' interest in affordable utility service.

13 The Arizona Legislature established the Residential Utility Consumer Office
14 ("RUCO") in 1983 to represent the interests of residential utility ratepayers in rate-
15 related proceedings before the Commission. See <https://ruco.az.gov/about-ruco>.
16 Accordingly, RUCO has represented the interests of the Town's citizenry as ratepayers
17 in this matter.

18 The Town has received RUCO's Application for Rehearing of Decision No.
19 74568 filed on July 7, 2014 ("Application"). The Town incorporates by reference the
20 arguments set forth and joins in RUCO's Application.

21 For the reasons set forth in RUCO's Application and above, the Town requests
22 that the Commission rehear this matter.

23 RESPECTFULLY SUBMITTED this 10th day of July, 2014.

24 GUST ROSENFELD P.L.C.

25 By: 

26 Andrew J. McGuire

David A. Pennartz

Landon W. Loveland

Attorneys for Town of Fountain Hills

1 ORIGINAL AND THIRTEEN COPIES
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3 of July, 2014 with:
4 Docket Control
5 Arizona Corporation Commission
6 1200 West Washington
7 Phoenix, Arizona 85007
8
9 COPIES of the foregoing emailed/mailed
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/s/ Maurella Adamo